

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRANK E. RATCLIFF,

Plaintiff,

v.

ORDER

10-cv-514-slc

WILLIAM GROSSHANS, QUALA CHAMPAGNE,
DEFENDANT DOE, ART THURMER,
KERRI SPAETH and WILLIAM LAZAR.,

Defendants.

Plaintiff Frank E. Ratcliff, a prisoner at the Dane County Jail, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis* and has included an account transaction log report from the Dane County Sheriff's office. A decision on the request will be delayed until plaintiff makes an initial partial payment of the \$350 filing fee as required by 28 U.S.C. §1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because the account statement he submitted with his complaint does not cover the full six-month period immediately preceding the filing of his complaint. The account transaction log that plaintiff provided covers the time period from May 30, 2010 to August 11, 2010. Upon checking the Wisconsin Department of Corrections website, it should be noted that plaintiff was previously in the custody of the Wisconsin Department of Corrections until May 15, 2010, at which time he absconded from the institution where he was incarcerated.

Plaintiff's complaint was submitted on September 9, 2010. His account statements should cover the entire six-month period prior to filing the lawsuit. Although he has

provided a three-month account statement, the court requires another three months. If he wishes to continue with this lawsuit, he will have to write to the correctional institution where he was incarcerated and request a certified copy of his trust fund account statement for the period beginning approximately March 9, 2010 and ending May 15, 2010.

ORDER

IT IS ORDERED that plaintiff may have until October 4, 2010, in which to submit a trust fund account statement for the period beginning March 9, 2010 and ending May 15, 2010. If, by October 4, 2010, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 20th day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge